

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department – Allegation of corruption against Sri G. Laxminarayana Murthy, Executive Engineer, Panchayat Raj, Jagital, Karimnagar District (Retired) - Trapped on 15.07.1999 – Charged Sheet filed – Convicted by the Trial Court in C.C.No.4/2001 – Imposed the penalty of withholding of entire pension and gratuity - Criminal Appeal No.1772/2005 filed the A.O. before the Hon'ble High Court of A.P. – Set aside the conviction and sentence - Further action dropped – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 1486 .

Dated: 21.09.2013

Read the following:-

1. From the D.G., ACB, Hyderabad Lr.Rc.No.135/RCT-KNR/99, dt. 13.07.2000.
2. G.O.Ms.No.288, PR&RD (Estt.I) Dept., dt.05.09.2000.
3. Judgment dt. 19.11.2005 in C.C.No.4/2001 of Hon'ble Prl. Special Judge for SPE & ACB cases, Hyderabad.
4. G.O.Ms.No.431, PR&RD (Vig.IA) Dept., dt.18.10.2006.
5. Judgement dt. 28.12.2012 in CrI. Appeal No.1772/2005 of Hon'ble High Court of A.P.
6. Representation dt. 10.07.2013 from Sri G. Laxminarayana Murthy,EE, PR (Retd.),
7. From the D.G., ACB, Hyderabad Lr.Rc.No.135/RCT-KNR/1999, dt. 19.07.2013.

ORDER:

It was brought to the notice of the Government that Sri G. Laxminarayana Murthy, Executive Engineer, Panchayat Raj, Jagital, Karimnagar District, was trapped by the ACB officials on 15.07.1999 when he demanded and accepted a bribe of Rs.3000/- from the complainant, for doing official favour.

2. After examining the final report furnished by the D.G., ACB, Hyderabad in the reference 1st read above, sanction was accorded for prosecution of Sri G. Laxminarayana Murthy, Executive Engineer, Panchayat Raj, Jagital, Karimnagar District, in a Court of Law, vide reference 2nd read above. Accordingly, the Bureau filed charge sheet against the A.O. on 05.01.2001 in the Court of Prl. Spl.Judge for SPE & ACB cases, Hyderabad. The said A.O. has retired from service on 30.11.2001 on attaining the age of superannuation.

3. In the reference 3rd read above, the Hon'ble Prl. Special Judge for SPE & ACB cases, Hyderabad pronounced judgement on 19.11.2005 in C.C.No.4/2001 finding that the accused officer is guilty of the charges framed u/s 7 & 13 (1) (d) read with 13 (2) of P.C. Act, 1988 and accordingly, convicted him under section 248 (2) Cr.P.C.

4. Government after careful examination of the judgement of the Prl. Special Judge for SPE & ACB cases, Hyderabad, have imposed the penalty of withholding of entire pension and gratuity permanently on Sri G. Laxminarayana Murthy, Executive Engineer, Panchayat Raj (Retd.), vide reference 4th read above.

5. Sri G. Laxminarayana Murthy, Executive, Panchayat Raj (Retd.), in his representation, in the reference 6th read above, has stated that the Hon'ble High Court of A.P., in its orders dt. 28.12.2012, has allowed the appeal filed by him and the conviction and sentence passed by the ACB Court was set aside. He has therefore, requested to release of all his pensionary benefits, as per the eligibility.

6. The Hon'ble High Court of A.P. in its judgement dt.28.12.2012 in Criminal Appeal No.1772/2005, while allowing the Criminal Appeal, has set aside the conviction and sentence passed by the Prl. Spl. Judge for SPE & ACB cases, Hyderabad and accordingly acquitted the A.O from the charges. In the reference 7th read above, the D.G., ACB, Hyderabad, while furnishing the copy of the judgment of High Court of A.P., has opined that no useful purpose would be served by filing SLP in the Supreme Court against the acquittal order of the Hon'ble High Court.

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7. Government, after careful examination of the matter in detail, have decided to drop further action against Sri G. Laxminarayana Murthy, Executive Engineer, Panchayat Raj, (Retd.) duly rescinding the orders issued in the reference 4th read above, keeping in view judgment of Hon'ble High Court and accordingly hereby drop further action against him.

8. The Engineer-in-Chief, Panchayat Raj, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G. Laxminarayana Murthy, Executive Engineer, Panchayat Raj, Jagitial, Karimnagar District (Retd.) through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, A.P., Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad.

The Accountant General, A.P., Hyderabad.

SF/SCs.

//FORWARDED: BY ORDER//

SECTION OFFICER